



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

February 17, 2017

**BY ECF**

The Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Joseph Percoco, et al.*, 16 Cr. 776 (VEC)**

Dear Judge Caproni:

We write in response to the Court's order dated January 25, 2017, requiring that the Government update the Court weekly about the status of discovery in the above-captioned matter.

In its February 10, 2017 discovery status letter (the "February 10 Letter"), the Government advised that, of the discovery material referenced at the initial pretrial conference, approximately 68,456 pages were left to be produced. On February 15, 2017, approximately 63,350 pages were made available to order from our discovery vendor. The Government anticipates that the remaining approximately 5,106 pages will be available by February 28, 2017.

As noted in its previous discovery update letters, the Government's investigation is ongoing. Since the date of our first court conference, the Government has obtained approximately 23.9 GB of additional documents subject to discovery under Federal Rule of Criminal Procedure 16. The Government expects that approximately 31,553 pages of those documents will be available from our discovery vendor on or about February 28, 2017. The Government continues to send documents for processing, and will produce those documents promptly as they become available.

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With respect to the potentially privileged materials discussed in the February 10 Letter, the Government, defendants, and third parties are adhering to the timetable set out in that prior letter, and the relevant parties are working expeditiously to release non-privileged documents and provide defendants with privilege logs for the remaining documents.

Respectfully submitted,

PREET BHARARA  
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cc: Counsel for all defendants (via ECF)